

WAIVER JUSTIFICATION STATEMENT

Thorntons

4900 Brownsboro Road

4902 Brownsboro Road

4904 Brownsboro Road

The requested waiver of Section 5.6.1.A and 5.6.1.C of the Land Development Code, to allow the principal structure to have less than 75% of their length to have blank walls facing a public street and less than 50% of the wall surfaces at street level to not consist of clear windows and doors, will not adversely affect the adjacent property owners. The proposed structure will comply with the remainder of LDC Section 5.6.1 regarding roof lines. However, because the building is adjacent to the I-264 off ramps, the blank wall and glazing requirements are not significant to the proposed development.

The requested waiver will not violate the Comprehensive Plan. The subject site exists in the Town Center Form District. The Comprehensive Plan recognizes “more intense uses in the Town Center are located in close proximity to the major thoroughfare.” The subject property is located at the corner of KY-22 and US Highway 42, next to the I-264 ramps. Because of the proximity to I-264, the proposed building design waiver is necessary to allow for the expansion of the existing gas station.

The waiver of the regulations are the minimum necessary to afford relief to the applicant. The waiver will permit the applicant to expand the property fully and adaptively while also maintaining the essential character of the general vicinity. The proposed site plan provides for a variation of material to add visual interest and significant screening, fencing, and landscaping.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant, as it would require the applicant to add unnecessary windows and materials to façades that will not be frequented by pedestrians or customers because of the site layout and proximity to I-264.